

4-9-01

A

# GRAYCARY. TECHNOLOGY'S LEGAL EDGE<sup>SM</sup>

J1093 U.S. PTO  
04/06/01

4365 Executive Drive, Suite 1600  
San Diego, CA 92121-2189  
www.graycary.com  
D) 858-677-1456  
F) 858-677-1465

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" LABEL NUMBER EL 617 038 253 US  
DATE OF DEPOSIT: 04/06/2001

I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX PATENT APPLICATION, Commissioner of Patents and Trademarks, Washington, DC 20231.

Mikhail Bayley  
Mikhail Bayley

JC971 U.S. PTO  
09/828574  
04/06/01

BOX PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith for filing is the new non-provisional patent application of:

APPLICANT(s): Salvatore Albani; Berent J. Prakken

FOR: STRESS PROTEINS AND PEPTIDES AND METHODS OF USE THEREOF

Enclosed are the following papers, including all those required to receive a filing date under 37 CFR § 1.53(b):

	<u>Number of Pages</u>
Specification	40
Claims	6
Abstract	1
Declaration ( <i>unsigned</i> )	2
Power of Attorney ( <i>unsigned</i> )	2
Drawing(s)	13

Enclosures:

- Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
- Postcard

This application claims priority under 35 U.S.C. §119(e)(1) to U.S. provisional application Serial No. **60/224,104**, filed **August 9, 2000**, the contents of which is herein incorporated by reference in its entirety.

09828574, 040601

In re Application of:  
Albani and Prakken  
Application No.: To Be Assigned  
Filed: Herewith  
Page 2

PATENT  
Attorney Docket No.: UCSD1310-1

The filing fee is calculated as follows. Small Entity status is claimed.

(1) For	(2) Number filed	(3) Number extra	(4) Large Entity Rate	(5) Small Entity Rate	(6) Calculations
Basic Filing Fee			\$ 710.00	\$355.00	\$355.00
Total Claims	57 - 20 =	34	X \$ 18.00	X \$ 9.00	\$ 306.00
Independent Claims	4 - 3 =	1	X \$ 80.00	X \$ 40.00	\$ 40.00
Multiple Dependent Claim(s) (if applicable)			\$ 270.00	\$135.00	\$ 0.00
Total of above Calculations =					<b>\$701.00</b>

Please defer the payment of the filing fee until the filing of the Declaration. Please charge any other required fees, **EXCEPT FOR THE FILING FEE**, or credit any overpayments, to Deposit Account 50-1355, referencing the Attorney Docket number shown above. A copy of this transmittal letter is attached.

If this application is found to be INCOMPLETE, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 677-1456.

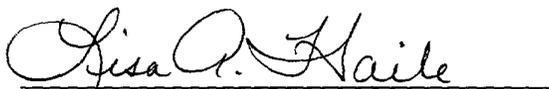
All future correspondence should be addressed to:

**Lisa A. Haile, Ph.D.**  
Gray Cary Ware & Freidenrich LLP  
4365 Executive Drive, Suite 1600  
San Diego, CA 92121-2189  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

A duplicate copy of this letter is enclosed. Kindly acknowledge receipt of this application by returning the enclosed postcard.

Respectfully submitted,

Date: 4/6/01



Lisa A. Haile, Ph.D.  
Attorney for Applicant  
Registration No. 38,347  
Telephone: 858-677-1456  
Facsimile: 858-677-1465

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1600  
San Diego, CA 92121-2189  
**Customer Number: 28213**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	SALVATORE ALBANI, ET AL.
	Title	STRESS PROTEINS AND PEPTIDES AND METHODS OF USE THEREOF
	Atty Docket Number	UCSD1310-1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

4/6/01  
Date

*Lisa A. Haile*  
Signature

GRAY CARY WARE & FRIEDENRICH LLP  
4365 Executive Drive, Suite 1600  
San Diego, CA 92121-2189

Lisa A. Haile, Ph.D.      Reg. No. 38,347  
Typed or printed name

Customer No. 28213

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

09354446